

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	CAUSE NO.: 2:15-CR-64-JTM-JEM
	)	
CLARENCE BLANCHARD,	)	
Defendant.	)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE  
UPON A SUPERVISED RELEASE REVOCATION HEARING**

TO: THE HONORABLE JAMES T. MOODY,  
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF INDIANA

On September 30, 2020, via videoconference, the United States Government appeared by counsel Assistant United States Attorney Caitlyn Padula. Defendant Clarence Blanchard appeared in person via video and by counsel Visvaldis Kupsis and in the custody of the United States Marshal. United States Probation Officer Robert C. Bono appeared. The Supervised Release Revocation Hearing was held. The Court received evidence and comments.

Based upon the record of proceedings the Court makes this Report and Recommendation.

On March 16, 2016, Defendant Blanchard pled guilty to Count I charged in the Indictment (felon in possession of a firearm) and on August 11, 2016, Judge James T. Moody sentenced him to a term of 21 months followed by 2 years supervised release subject to specified written terms and conditions.

On June 18, 2020, the Government filed a petition alleging that Defendant violated the terms and conditions of supervised release [DE 77], and an arrest warrant was issued. On September 11, 2020, an Initial Appearance was held, at which time Defendant Blanchard was detained.

On September 22, 2020, Judge James Moody issued an Order referring this case to the undersigned Magistrate Judge to conduct the Supervised Release Revocation Hearing, to recommend modification, revocation, or termination of the supervised release in this case, and to submit proposed findings and recommendations pursuant to 18 U.S.C. § 3401(i), 28 U.S.C. § 636(b)(1)(B), and N.D. Ind. Local Rule 72-1.

As a result of the September 30, 2020, Supervised Release Revocation Hearing, the undersigned Magistrate Judge **FINDS** that:

1. Defendant Blanchard has been advised of his right to remain silent, his right to counsel, his right to be advised of the charges against him, his right to a contested Supervised Release Revocation Hearing, and his rights in connection with such a hearing;
2. Defendant Blanchard understands the proceedings, allegations and his rights;
3. Defendant Blanchard knowingly and voluntarily admitted that he committed the offenses of driving while suspended, possession of marijuana, and failure to attend his educational services program [DE 90];
4. This violations are Grade C violations, Defendant's criminal history category is VI, and the suggested penalty is 8-14 months incarceration.

The undersigned Magistrate Judge **RECOMMENDS** to Judge James Moody that:

1. Defendant Blanchard be adjudged to have committed a violation of his supervised release described in the June 18, 2020 Petition [DE 77];
2. The Agreed Disposition of Supervised Release Violation [DE 90] be accepted; and

3. Defendant Blanchard be sentenced to a term of 9 months incarceration, with no term of supervised release to follow.

The parties agreed to waive any objections to these Findings and Recommendation.

SO ORDERED this 7th day of October, 2020.

s/ John E. Martin  
MAGISTRATE JUDGE JOHN E. MARTIN  
UNITED STATES DISTRICT COURT

cc: All counsel of record  
District Judge James Moody